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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,908	09/09/2003	Un-Koo Lee	11038-095-999	3607
24341	7590	07/05/2005	EXAMINER	
MORGAN, LEWIS & BOCKIUS, LLP. 2 PALO ALTO SQUARE 3000 EL CAMINO REAL PALO ALTO, CA 94306			ENGLISH, PETER C	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/658,908

Applicant(s)

LEE, UN-KOO

Examiner

Peter C. English

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 20030909.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

24a, shown in Figs. 1, 4 and 5.

2. The drawings are objected to because:

Fig. 3 fails to accurately illustrate the suspension shown in detail in Figs. 1 and 2.

Specifically, the sliding connection of the pin joint is not accurately illustrated in Fig. 3. Further, Fig. 3 appears to inaccurately show a link extending between bush 18 and pin 22.

In Figs. 4 and 5, the lead line for reference number 24 is not directed to the elastic member. See paragraph 30.

3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

4. The abstract of the disclosure is objected to because of the inclusion of legal phraseology, such as “means” (line 5), which should be avoided. Correction is required. See MPEP § 608.01(b).

5. The specification is objected to because:

In paragraph 4, at line 1, “I” should be “In”.

In paragraph 21, at line 3, the first occurrence of “24” should be “12”.

In paragraph 26, at line 3, the first occurrence of “24” should be “24c”.

In paragraph 29, at line 3, “towards its end” is inaccurate since the engaging part 20a is formed in an intermediate portion (not an end portion) of the protrusion 20 in the embodiment of Figs. 4-5.

In paragraph 33, at line 4, “like” should be “along”.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, at line 4, “the vehicle body” lacks proper antecedent basis.

In claim 1, at line 8, “varying the length of said protrusion member” is inaccurate because the protrusion 20 of the invention is not capable of a change in length. Instead, the protrusion 20 moves relative to the trailing arm 10.

In claim 2, at line 2, “on a leading end” is indefinite because it contradicts the use of the term “leading end” in claim 1, at line 2. The end of the protrusion 20 referred to in claim 2 is a trailing end of the protrusion, not a leading end of the protrusion.

In claim 3, at line 2, “its width” lacks proper antecedent basis. The examiner suggests: at line 2, insert “is formed” after “hole”; and at line 2, change “with its width being” to “having a width”.

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In claim 4, at line 2, “a front leading end portion” is indefinite because it is unclear what the relationship is between this leading end portion and the leading end portion previously defined in claim 1, at line 2. The examiner suggests: in claim 4, at line 2, change “a front” to “said”.

In claim 4, at line 3, “a pin joint” is indefinite because it is unclear what the relationship is between the pin joint of claim 4 and the “coupling means” of claim 1. The language of claim 4 inaccurately suggests that the pin joint is distinct from the coupling means.

In claim 4, “said axial hole” (line 3) and “said engaging part” (lines 3-4) lack proper antecedent basis. Note that the axial hole is introduced in claim 3, and the engaging part is introduced in claim 2.

In claim 5, at line 5, “the front end” lacks proper antecedent basis.

In claim 6, at line 2, “its axis” lacks proper antecedent basis.

In claim 7, “the pin” (line 2), “the pin joint” (line 2) and “said axial hole” (line 3) lack proper antecedent basis. Note that the pin and the pin joint are introduced in claim 4, and the axial hole is introduced in claim 6.

In claim 8, “the pin” (line 2) and “the pin joint” (line 2) lack proper antecedent basis. Note that the pin and the pin joint are introduced in claim 4.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 2, 4, 5 and 7 (as best understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Cuskie (US 3,083,032). Cuskie discloses a suspension system comprising: a trailing arm 24; a cylindrical member 26 coupled to a front end of the trailing arm 24 and containing an elastic member 35; a mounting “bush” 31 securing the trailing arm 24 to a vehicle body via a pin 32; a cylindrical protrusion 29 extending from an outer circumference of the mounting bush 31, 32 and received in the cylindrical member 26; and slots 34 formed in the

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cylindrical member 26 for allowing the protrusion 29 to translate relative to the trailing arm 24. The cylindrical protrusion 29 constitutes a round engaging part and has a through hole (see Fig. 2). The elastic member 35 has an axial hole (see Fig. 2).

9. Claims 1, 2 and 5 (as best understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Takizawa et al. (US 4,758,018). Takizawa et al. discloses a suspension system comprising: a trailing arm 6; a cylindrical member 10 coupled to a front end of the trailing arm 6 and containing an elastic bushing 12; a mounting bushing (see column 4, lines 16-18) securing the trailing arm 6 to a vehicle body; a cylindrical protrusion 8 extending from an outer circumference of the mounting bush (see Fig. 4) and received in the cylindrical member 10; and a pivot pin 11 for allowing the protrusion 8 to pivot relative to the trailing arm 6. The cylindrical protrusion 8 constitutes a round engaging part.

#### *Allowable Subject Matter*

10. Claims 3, 6 and 8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

#### *Conclusion*


11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bajer and Muller et al. teach trailing arms with sliding joints. Sautter et al., Edahiro et al. and JP 60080914 teach bushings with protrusions.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter C. English whose telephone number is 571-272-6671. The examiner can normally be reached on Monday through Thursday (7:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Peter C. English 6/27/05  
Primary Examiner  
Art Unit 3616

pe  
27 June 2005